

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION**

ENCISO RODRIGO ACEVES	§	
REG. NO. 17690-198	§	
v.	§	C.A. NO. C-05-167
	§	
DHO C. BICKLE, ET AL.	§	

MEMORANDUM OPINION AND ORDER OF DISMISSAL

On June 14, 2005, the United States Magistrate Judge filed her Memorandum and Recommendation in this cause (D.E. 9). After ample opportunity, no objections have been filed by either party. This Court regards such omission as each party's agreement with and acceptance of the Magistrate Judge's findings of fact and conclusions of law. Having reviewed the pleadings on file, the Court finds no clear error in the Magistrate Judge's memorandum and recommendation. *Douglass v. United Services Automobile Ass'n*, 79 F.3d 1415, 1420 (5th Cir. 1996). This Court adopts as its own the findings and conclusions of the Magistrate Judge.

Accordingly, plaintiff's claims that challenge his disciplinary convictions and loss of good time credits are DISMISSED WITHOUT PREJUDICE. Plaintiff's conspiracy, retaliation, unconstitutional conditions of confinement, and loss of privileges claims fail to state a claim and are DISMISSED WITH PREJUDICE pursuant to 28 U.S.C. §§ 1915(e), 1915A and 42 U.S.C. § 1997e(c).

ORDERED this 10th day of August, 2005.


HAYDEN HEAD
CHIEF JUDGE